

Application No.: 09/990,862

Docket No.: JCLA7288

**In The Claims:**

Claim 1 (Currently Amended) A structure of a flash memory comprising:

a first oxide layer positioned on a substrate;

a dielectric layer having a high dielectric constant positioned on the first oxide layer;

a second oxide layer positioned on the dielectric layer having the high dielectric constant,

wherein the first oxide layer, the dielectric layer having the high dielectric constant and the second oxide layer together form a charge trapping layer, wherein the dielectric is selected from a group consisting of  $Y_2O_3$ ,  $ZrSi_xO_y$ ,  $HfSi_xO_y$ ,  $La_2O_3$ ,  $ZrO_2$ ,  $HfO_2$  and  $Pr_2O_3$ ; and

a gate located on the second oxide layer of the charge trapping layer; and

a source/drain region located at two lateral sides of the substrate.

**Claim 2 (Cancelled)**

Claim 3 (Original) The structure of claim 1, wherein the dielectric constant of the dielectric layer having the high dielectric constant is greater than 8.

**Claim 4 (Cancelled)**

Claim 5. (Currently amended) The structure of claim 1, the dielectric layer having the high dielectric constant is a mixture of materials selected from the group consisting of  $Y_2O_3$ ,  $ZrSi_xO_y$ ,  $HfSi_xO_y$ ,  $La_2O_3$ ,  $ZrO_2$ ,  $HfO_2$  and  $Pr_2O_3$ .

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Claim 6 (Currently Amended) The structure of claim 1, the dielectric layer having the high dielectric constant is a stacked layer having layers made of materials selected from the group consisting of  $Y_2O_3$ ,  $ZrSi_xO_y$ ,  $HfSi_xO_y$ ,  $La_2O_3$ ,  $ZrO_2$ ,  $HfO_2$  and  $Pr_2O_3$ .

Claim 7 (Currently Amended) A structure of a flash memory comprising:

a first oxide layer positioned on a substrate;

a dielectric layer having a high dielectric constant positioned on the first oxide layer, wherein the dielectric layer and the first oxide layer together form a charge trapping layer and the dielectric layer having the high dielectric constant is selected from a group consisting of  $Y_2O_3$ ,  $ZrSi_xO_y$ ,  $HfSi_xO_y$ ,  $La_2O_3$ ,  $ZrO_2$ ,  $HfO_2$  and  $Pr_2O_3$ ;

a gate positioned on the dielectric layer having the high dielectric constant; and

a source/drain region positioned at two lateral sides of the substrate.

Claim 8 (Original) The structure of claim 7, wherein a band gap of the dielectric layer having the high dielectric constant is larger than that of silicon oxide ( $SiO_2$ ).

Claim 9 (Cancelled)

Claim 10 (Cancelled)

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Claim 11 (Currently Amended) The structure of claim 7, the dielectric layer having the high dielectric constant is a mixture of materials selected from the group consisting of  $Y_2O_3$ ,  $ZrSi_xO_y$ ,  $HfSi_xO_y$ ,  $La_2O_3$ ,  $ZrO_2$ ,  $HfO_2$  and  $Pr_2O_3$ .